

HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition no. 107 of 2004 (MS)

Anish Jain & others Petitioners

Versus

Civil Judge, Dehradun & others Respondents

Sri S.K. Jain, Advocate for the petitioners
Standing counsel for the respondents.

Dated: 19.8.2004

Hon. Rajesh Tandon J.

Heard the learned counsel for the parties.

By the present writ petition the petitioners have prayed for a writ of certiorari quashing the order dated 16.2.2004, annexure-5 to the writ petition.

Briefly stated the respondents no.2 to 9 have moved application for release under section 21(1)(a) of U.P. Act No. XIII of 1972. The petition moved an application 53-ka, serving interrogatories under section 34(1) (d) of Act No. XIII of 1972 read with Order 11 Rule 1 C.P.C. at the initial stage of the proceedings. The prescribed Authority has rejected the application vide impugned order.

Since the order being interlocutory one, the same can be challenged in the appeal against the final order. The writ petition against the interlocutory order is not maintainable.

Consequently the writ petition is dismissed.

No order as to costs.

(Rajesh Tandon, J.)

19.8.2004

*Dhyani